

# **GURU GHASIDAS VISHWAVIDYALAYA, BILASPUR (C.G.)**

## **Minutes of the emergent Executive Council Meeting held on 01-05-2015**

The emergent meeting of the Executive Council of Guru Ghasidas Vishwavidyalaya, Bilaspur, was held on 01-05-2015 at 12:00 P.M. under the Chairmanship of Prof. S.P. Singh, Vice-Chancellor of the University.

The following members were present in the meeting –

01.	Prof. S.P. Singh, Vice Chancellor	Chairman
02.	Padmshree Dr. A. T. Dabke, former VC Ayush V.V., Raipur.	Member
03.	Shri Ashish Singh Thakur	Member
04.	Prof. S.S. Singh	Member
05.	Prof. Shailendra Kumar	Member
06.	Prof. V.D. Rangari (Through Video Conferencing)	Member
07.	Dr. M.K. Gupta	Member
08.	Shri H.N. Choubey, Registrar (Acting)	Secretary

The following members could not attend the meeting:

01. Chairman, UGC or his nominee.
02. Secretary, Ministry of Human Resource Development, New Delhi or his nominee.
03. Shri B.L. Agrawal, Nominee, for Chief secretary, Govt. of Chhattisgarh, Raipur (C.G.)
04. Prof. G.K. Mehta, New Delhi.
05. Prof. S.V. Sudhakar, Professor Social Works Department
06. Prof. (Dr.) Pradeep Mathur, Director, Indian Institute of Technology, Indore
07. Dr. Uma C Vaidya, Vice Chancellor, Sanskrit University Ramtek.
08. Dr. H. S. Tiwari, Associate Professor, Department of Pure and Applied Physics, GGV, Bilaspur

The meeting started with the opening remarks of the Vice-Chancellor. The Chairman of the Executive Council welcomed the respected members and then the agendas were taken-up item wise.

### **Item No. 01. Regarding case of shri R.P. Shrivastava, Section Officer (Suspended, retired) filed before the Chhattisgarh Human Rights Commission & Chhattisgarh Lokayog for payment of his pending dues.**

The Executive Council discussed the matter at length, the Hon'ble member Dr. V. D. Rangari, has also participated in this discussion through video conferencing.

The Executive Council noted that, as per the report of then residential Assistant Director, Local Fund Audit, Bilaspur(C.G.) a total amount of Rs. 9, 27,214/- was found missing from the income of the Sarguja Parisar which was running by the erstwhile Guru Ghasidas State University.

Shri R.P. Shrivastava during his posting (from 03.08.2005 to 03.12.07) , who joined back the headquarter only on 04.03.2008 , as section officer in Sarguja campus was responsible for collecting various types of fees from students admitted to different courses of Sarguja Parisar and to deposit the amount received as fee from the students on day-to-day basis in the bank accounts of the University.

In the light of Audit report ( which was an outcome of an inspection of office of Sarguja Parisar, on 04.10.2007, by the then residential Assistant Director, Local Fund Audit, Bilaspur (C.G.) ) , the University administration had directed Shri R.P. Shrivastava, the then Section Officer of Sarguja Parisar that , to rectify the above said audit objections, he must produce all the documents relating to the deposit of money into the bank account of the University.

Despite of repeated instructions both written and oral given by the University administration from time to time , Shri R.P. Shrivastava totally failed to produce the relevant documents required to rectify the audit objection of Rs.9,27,214/-.

The act and conduct of Shri R.P. Shrivastava as an employee of the University was found suspicious hence vide order number 3240/est/Adm/2007 dated 3-12-2007 he was transferred back to the headquarter of the University and was directed to render his joining immediately back to the headquarter of the University . But he neither produced the required documents before the University authorities nor joined promptly back to office at head quarter of the University but he joined back only on 04.03.2008.

It was also found by the then University authorities that Shri R.P. Shrivastava was habitual of being absent from his duties without due approval or sanction of leave on various occasions during his whole service periods, for which he was issued as many as 18 show-cause notices for his unbecoming conduct as an employee of the University.

Looking to such acts and conducts of Shri R.P. Shrivastava, the then Section Officer, was suspended vide order number 1300 dated 22.05.2008 and a charge sheet, containing 03 charges , was also served upon him vide letter number 1622 Dated 26.06.2008.

However Shri R.P. Shrivastava, the then Section Officer, retired from the services of the University on 30.06.2008.

But the disciplinary proceedings continued and departmental enquiry was instituted against him vide order number 3913 dated 02.12.2008, because of the apprehension of huge financial losses to the fund of the University caused by Shri R.P. Shrivastava, either by negligence of his duties or intentionally.

The Executive Council noted that the then Sarguja Parisar, in the year 2008, has been merged into a separate State University established by an Act of State Government and subsequently the erstwhile Guru Ghasidas State University has also been converted into a Central University w.e.f. from 15.01.2009.

The then Finance Officer of erstwhile State University Shri Umesh Agrawal was appointed as first enquiry officer to enquire into the charges imposed upon Shri R.P. Shrivastava. But subsequently after repatriation of services of Shri Umesh Agrawal to the State Government Services, the then

incumbent Finance Officer, Shri A.K. Jha vide letter number 2578 dated 25.08.2009 was appointed as enquiry officer in place of Shri Umesh Agrawal.

Again the then Finance Officer/Controller of Finance Shri A.K. Jha on 22.07.2010 has been transferred to some other establishment of the State Government. There after Professor S.S. Singh was entrusted as the Finance Officer of the Central University and had been appointed as enquiry officer of this case.

Further after appointments of some Deputy Registrars in the establishment of newly established Central University Shri R.K. Soni was entrusted as Finance Officer of the University by the then Vice Chancellor Dr. Lakshman Chaturvedi and hence the in-charge Finance Officer, Shri R.K. Soni, has conducted the departmental enquiry in continuity and submitted departmental enquiry report on 11.03.2013. In this enquiry report all the three charges imposed upon Shri R.P. Shrivastava, were found proved, true and correct.

Since a huge loss of University money was apprehended due to the negligence of duties by Shri R.P. Shrivastava and his intention of not to produce the relevant documents to rectify the financial audit objection and also he was retired on 30.06.2008 therefore in such circumstances he could not be provided the benefits of 6<sup>th</sup> pay scale and hence he was provided a provisional pension of 90% based on 5<sup>th</sup> pay scale in anticipation to recover any financial loss caused by Shri R.P. Shrivastava to the fund of the University.

The departmental enquiry report was processed and placed before the then Vice Chancellor, Dr. Lakshman Chaturvedi with a proposal that the report may be sent to the charged officer to submit his final representation and the then Vice Chancellor on 23.04.2013 had given his approval for this action.

The charged officer Shri R.P. Shrivastava, has filed a representation through his letter dated 28.05.2013 and further official proceedings had been continued and ultimately the then Vice Chancellor Dr. Lakshman Chaturvedi on 19.12.2013 had approved the proposal to sought legal advise to decide this case finally.

As per the legal advise received from the office of Senior Advocate of the University, it was noted that an amount of Rs. 9,27,214/- was not deposited in the bank account of the University by the charged officer and this is very serious misconduct of the employee of the University. Further the legal advisor also suggested that the financial loss caused by the charged officer must be recovered from the arrears of various dues and pensionary benefits payable to the charged officer.



It was further suggested by the legal advisor that since Shri R.P. Shrivastava has utilized the Government money for his private purpose therefore an FIR may also be filed against him in the police station.

During all these proceedings a final decision in this case could not be taken and the full time Vice Chancellor Dr. Lakshman Chaturvedi completed his tenure on 28.02.2014 and since then this case was pending for a final decision.

Again the then Registrar, Dr. I. D. Tiwari, has proposed on 18.05.2014 to place the whole matter before the Executive Council for a discussion and decision but the then in charge Vice Chancellor on 11.06.2014 had directed that the matter is very serious and action should be taken according to the legal advice and thereafter this case shall be placed before the Executive Council.

However on 13.08.2014 the then Registrar Dr. I. D. Tiwari directed to review and put up the case again . Finally on 22.08.2014 the then Registrar again proposed the case may be put up before the new Vice Chancellor and the in charge Vice Chancellor Dr. M.S.K. Khokhar on 25.08.2014 has approved this proposal of the then Registrar. Since then this case was pending for a decision.

In the meanwhile – during all these proceedings, the charged officer has filed various complaints before the Chhattisgarh Manvadhiakar Ayog and the Chhattisgarh Lok Ayog, but in the absence of a decision the matter could not be solved.

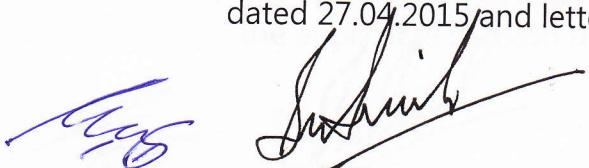
Recently the Chhattisgarh Lok Ayog vide letter number 902 dated 12.03.2015 has directed the Registrar of the University to appear before his office on 16.04.2015 along with a report on 03 points as mentioned in the letter.

Based on the available records a report was prepared in the form of reply of above said letter and vide letter number 96 dated 15.04.2015, a reply has been sent to Chhattisgarh Lok Ayog Raipur and Mr. T.P. Singh, the Assistant Registrar on 16.04.2015 appeared in person before the Lok Ayog on behalf of the University.

On 16.04.2015 the Chhattisgarh Lok Ayog , in its proceedings , expressed its concern about such a long departmental enquiry proceedings and directed the present Registrar (Acting), Shri H.N. Choubey, to appear before the Ayog personally along with a fact finding report in the case.

The Lok Ayog also expressed its confidence that the Registrar will pay different dues of the complainant before the due date of hearing and inform the Lok Ayog accordingly.

Looking to the directions of Lok Ayog as well as the nature of the case the present Registrar has issued various instructions vide letter number 178 dated 27.04.2015 and letter number 183 dated 30.04.2015 in order to



explore various dues to be paid to the complainant after a decision of the Executive Council of the University.

In pursuance of above directions various offices of the University has calculated the tentative amounts of 6<sup>th</sup> pay scale salary arrears, arrears of revised pension amount and also informed about contributory provident fund deposit of the charged officer to be paid only after the decision regarding the recovery of an amount of Rs.9,58,236/-.

The details of various amounts are given here as under :-

1. Difference amount of salary as per 6<sup>th</sup> pay commission (from 01-01-2006 to May 2008) equaling to Rs. 1, 81,371/-.
2. Difference of revised pension amount as per 6<sup>th</sup> pay commission (from June 2008 to April 2015) equaling to Rs. 7,61,889/-.
3. Service gratuity amount equaling to Rs. 2,31,150/-.
4. CPF amount equaling to Rs. 84,762/-
5. Amount to be recovered
  - a. Rs. 9, 27,214/- as mentioned in the audit report.
  - b. Rs. 31,022/- as outstanding advances.

In continuity of above action the present Vice Chancellor has ordered to convene an emergent meeting of the Executive Council on 01.05.2015 to resolve this case. And the Executive Council,

**RESOLVED THAT**, the pay scale of shri R.P. Shrivastava, Section Officer (Suspended, Retired) from 5<sup>th</sup> pay scale to 6<sup>th</sup> pay scale should be revised as per rule, hence the pension payment order (PPO) must be issued as per the revised pay scale from the due date. However the due recoverable amount must be mentioned in the order to be recovered by the appropriate disbursing authority as per the applicable pension rules.

**RESOLVED FURTHER THAT**, Shri R.P. Shrivastava was an employee of the erstwhile Guru Ghasidas State University and had retired before 15.01.2009 (the date of up-gradation of University as Central University) hence the dues against pension and gratuity etc. must be paid by the Commissioner, Higher Education, Government of Chhattisgarh. However the amount due for recovery must be remitted to the account of Guru Ghasidas University.

**RESOLVED STILL FURTHER THAT**, to recover the financial losses caused to the University fund by Shri R.P. Shrivastava, the difference amount of salary as per 6<sup>th</sup> pay commission (from 01-01-2006 to May 2008) equaling to Rs. 1, 81,371/- and the CPF amount equaling to Rs. 84,762/- deposit with the University, a total of 2,66,133/- , be forfeited. However the rest of the amount equaling to Rs. 6,92,103/- be informed to be recovered by the Commissioner, Higher Education, Government of Chhattisgarh as per the applicable pension rules.

**RESOLVED STILL FURTHER THAT**, as regards to the other points of the complainant mentioned in his complaint dated 24.08.2012 filed before the Lok Ayog , the Finance Officer should place a report about point number 01, 02 and 06 within 15 days before the Vice Chancellor to resolve the same.

**Item No. 02. Regarding representation submitted by Shri Komal Singh Suman, Research Scholar, Department of Zoology.**

The Executive Council perused the letter number 1/58/14-C.G.Serv dated 22/12/2014 from the National Commission for Scheduled Castes and the reply submitted by the University on behalf of the Vice Chancellor vide number 204/Esstt/Adm/15 dated 23.04.2015. Also there was an important Meeting of Standing Committee of Academic Council on the same date 24.04.2015 chaired by Vice Chancellor. The Executive Council also perused the letter dated 29.04.2015 submitted by Shri Komal Singh Suman and discussed the matter at length and,

**RESOLVED THAT**, the matter related to the dispute between the student and the concerned Head of the Department is already pending at different levels in competent Court of law. Hence, on similar set of facts of the case, no interference of the University administration is required at this stage because the matter is sub judice presently. The National Commission for Scheduled Castes be informed about the case status.

**RESOLVED FURTHER THAT**, the concerned student be advised to wait till the final decision of the competent Court of law in this matter. The Executive Council took serious note regarding the allegations as "अतः महोदय जी से निवेदन है कि मेरी समस्या का समाधान करें, न कि बार-बार प्रताड़ित करवाए " made in the letter dated 30.04.2015 submitted by Shri Komal Singh Suman and expressed its concern about such allegations regarding an event which took place sometime in the first half of March 2014 when Prof.M.S.K.Khokhar was there in charge but now allegations thrown towards such person who joined the position of Vice Chancellor on 11.11.2014.

**RESOLVED FURTHER THAT**, the full day leave may be sanctioned to the concerned student for 24.04.2015 and further he be advised that he may concentrate on his study and research works. The University administration shall extend its complete support in his studies. The National Commission for Scheduled Castes be informed about it.



**Item No. 03. Regarding case of Decree passed in the matter of Century Coolers, Nagpur Vs Kulsachiv, Guru Ghasidas Vishwavidyalaya.**

The Chairman of Executive Council briefed about the matter to the Council and informed that the University is in the process of challenging the execution of the decree by the way of filing of a Writ Petition before the Hon'ble High Court of Chhattisgarh.

**RESOLVED THAT,** the action taken by the administration was noted and ratified by the Executive Council.

**RESOLVED FURTHER THAT,** if required the University shall engage local advocate for Nagpur Court from the Nagpur City.

**Item No. 04. Regarding letter dated 29.04.2015 received from shri Krishna Tiwari.**

The Executive Council was informed about the complaint /representation of Shri Krishna Tiwari dated 29.04.2015 who also sent the certified copy of the judgment dated 07.04.2015 passed by the learned First Class Judicial Magistrate, Bilaspur (C.G.), in the matter of Shri Krishna Tiwari Vs Shri Balram Oraon, Assistant Professor, Department of Anthropology and Tribal Development of the University.

**RESOLVED THAT,** a fact finding committee comprising of the following members:

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|---|----------|
| 1.Prof.S.S.Singh,Dean,Faculty of Natural Sciences | Convener |
| 2.Prof.Shailendra Kumar, Director(I/C),I.T.       | Member   |

be constituted to prepare a summary report in this matter.

**RESOLVED FURTHER THAT,** the summary report prepared by the committee be placed in the regular meeting of the Executive Council to be chaired by the Full Time Salaried Vice Chancellor.

**Item No. 05. Regarding unwanted / unbecoming acts and activities of some persons in the name of Teacher's Association ( GGVTA).**

The Executive Council discussed about the circumstances created , just before its meeting dated 21.01.2015 , through the E-mail dated 19.01.2015 in the name of GGVTA and also noted that a number of matter related to the teachers of the university are already deferred by the representative of MHRD by the way of comments /views expressed from time to time through E-mails /Faxes. .

The Executive Council also noted that as per the Central Universities Act 2009 there is no provision of any teachers association in the central university . It was also noted that the election of present teachers association may not be a valid election. The acts and activities of some office bearers of GGVTA are unwanted / unbecoming and they are dictating the university administration like a supreme authority over and

above to Executive Council, MHRD and GOI orders and advice. Some office bearers of GGVTA also making hurdles in the day to day working of the university by creating pressure in the name of GGVTA.

The Executive Council also noted that the matter of relieving of Dr Sanjay Lanjhiyana from the service of the university which is pending before the Honorable High Court of Chhattisgarh and he is working in the university because of an Interim Stay passed by the Honorable High Court of Chhattisgarh in his relieving case but as a President of GGVTA, he is trying to pressurize the university administration and authorities by adopting various tactics in name of so called GGVTA only to fulfill his vested interest. Further Dr Sanjay Lanjhiyana and Dr Harit Jha both have filed some representations about their service grievances which are still pending before the Executive Council but they are trying to pressurize to solve their grievances in their favor and also using their so called positions as so called office bearers of GGVTA in an objectionable manner in the name of GGVTA and inciting the Younger Teachers against the university administration as well as Senior Rank Teachers.

Looking to the above facts and circumstances, the Executive Council, **RESOLVED THAT**, show cause notices be issued against the persons, who are inciting the Younger Teachers in the name of GGVTA and also making serious hurdles in the day to day working of university administration by using various pressure tactics in the name of GGVTA.

**RESOLVED FURTHER THAT**, legal advice be sought regarding validity of election process of Teachers Association(GGVTA) and a notice be issued to Deputy Registrar (Academic) regarding his authority to conduct the election of GGVTA and other relevant informations and documents be sought from office of Deputy Registrar (Academic) in this regard for further course of legal action.

**RESOLVED FURTHER THAT**, MHRD/GOI be also informed about this resolution of E.C.

**Item No. 06. Regarding the matter of pending dues, including leave salary contribution, to be paid to Dr. Ashutosh Kumar Shukla, ex Associate Professor, Department of Pure and Applied Physics.**

The Executive Council was briefed about the case and was informed regarding the representation/complaint filed by Dr. Ashutosh Kumar Shukla in the CPGRAM, Government of India, Grievance Redressal Portal and,

**RESOLVED THAT**, the usual dues be paid to Dr. Ashutosh Kumar Shukla as per rules; however the matter of leave salary contribution required to be examined by a committee, hence the matter is deferred for time being and be put up again with the recommendation of the committee.

**RESOLVED FURTHER THAT**, the Vice Chancellor is authorized to constitute a committee on leave salary contribution matter in the university to frame a common policy.

**ANY OTHER MATTER WITH THE PERMISSION OF CHAIR**

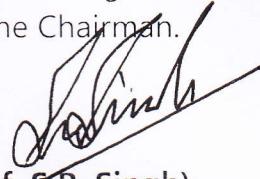
- AI No. 01.** Regarding in justice caused during the selection proceedings and appointment made to the post of Executive /University Engineer during the tenure of first Vice-Chancellor (Dr. Lakshman Chaturvedi) of the Central University.

The Honorable Member of E.C., Shri Ashish Singh Thakur raised the issue of discrimination and in justice caused to Shri L.K. Jaiswal ,Assistant University Engineer during the selection proceedings and appointment made to the post of Executive /University Engineer. The Executive Council discussed the matter at length and

**RESOLVED THAT** , a fact finding committee be constituted to inquire into the facts of this matter .

**RESOLVED FURTHER THAT** the Vice Chancellor is authorized to constitute a fact finding committee in this matter and the fact finding report be placed before the Executive Council to be chaired by a Full Time Salaried Vice-Chancellor in due course of time .

The Meeting of E.C. ended with vote of thanks to the Hon'ble Members by the Chairman.



(Prof. S.P. Singh)

Vice-Chancellor / Chairman



(Shri H.N. Choubey)

Registrar (Acting)/Secretary